IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Chetan Ram Vs. State of Rajasthan & Ors.
D.B. HABEAS CORPUS WRIT PETITION NO.1151/2007

Writ Petition under Article 226 of the Constitution of India.

DATE OF ORDER :: 28th March , 2007.

PRESENT

HON'BLE MR.JUSTICE S. P. PATHAK
HON'BLE MR.JUSTICE D.N. THANVI

Mr. B.K. Vyas for petitioner.
Mr. S.K. Vyas, G.A.
Ms. Pushpa Vyas, Assisting Advocate.

By this habeas corpus petition, father of corpus Shakuntala has prayed that she be ordered to be produced before the Court as she has been abducted by respondent No.5 Mohan Singh alias Monu.

Corpus Shakuntala has been produced in the Court today at 10:30 in the morning. Thereafter, she was relegated to our chambers in the company of assisting

Advocate Ms. Pushpa Vyas and she has remained in chambers for nearly two hours. After satisfying ourselves that the corpus is not under any pressure, we asked questions to her regarding her age and desire and in reply to which she stated that she has already completed 18 years of age and is willingly staying with Mohan Singh alias Monu, respondent No.5. The corpus has also stated that she has married with respondent No.5 and understands her welfare very well. She was asked to give it in writing and she has reduced her statement in her own handwriting stating very clearly that she wants to live with her husband and that his father and mother are also not having any objection to it. A marksheet has also been produced before us issued by the Board of Secondary Education, Rajasthan, Ajmer in respect of the corpus for Secondary School Examination, 2006 undertaken by her, which shows her birth date as 01.09.1988 and according to this marksheet she has completed 18 years of age.

In view of the statement made by the corpus and she being major, it does not appear that she was under illegal custody. Therefore, the corpus, who has been

brought before this Court in police custody by the Sub-Inspector Kishanlal of Police Station Vijaynagar is now set free to go to her desired place and it is ordered that she be left at her desired place in police custody.

No cause remains to be decided in this petition now.

The petition stands disposed of accordingly.

Copy of the marksheet produced and the statement of corpus Shakuntala recorded, be taken on record.

(D.N. THANVI)J. **(SATYA PRAKASH PATHAK)J.**

/jpa